

Message Text

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PAGE 01 STATE 008609
ORIGIN L-03

INFO OCT-01 EUR-12 ISO-00 CPR-01 PER-01 /018 R

DRAFTED BY L/M:HFSHAMWELL, JR:AD
APPROVED BY L/M:HFSHAMWELL, JR
EUR/EX - MS. ELIOT
S/CPR - MRS. KEATING
DG/EM - MR. SANDMAN

-----130514 121930Z /46

R 121815Z JAN 78
FM SECSTATE WASHDC
TO AMEMBASSY OSLO

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E.O. 11652: N/A

TAGS: PFOR, AFSP

SUBJECT: MOMS -- RELIEF FOR ADMIN. AND TECH. STAFF

REF: (A) OSLO 4766 (1977); (B) OSLO 5759 (1977)
(C) OSLO 22

1. DEPARTMENT REGRETS DELAY IN RESPONDING TO REFTTEL (A),
BUT LATTER WAS RECEIVED WHILE SHAMWELL (L/M) WAS ON TRAVEL
ABROAD AND HE DID NOT RECEIVE IT UNTIL VERY RECENTLY.

2. DEPARTMENT IS UNFORTUNATELY NOT IN POSITION TO GIVE
SPECIFIC GUIDANCE ON HOW TO SECURE FROM GON REFUND OF MOMS
ON PURCHASE OF GASOLINE FOR NON-DIPLOMATIC STAFF. AS
EMBASSY CORRECTLY POINTS OUT, PROBLEM IN QUESTION IS ONE
WHICH AFFLICTS USG PERSONNEL IN MANY W. EUROPEAN COUNTRIES
AND DOES NOT ADMIT OF EASY SOLUTION. RATHER THAN TO ADVISE
EMBASSY TO TAKE COURSE OTHER THAN THAT ALREADY EMBARKED UPON,
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NAMELY, TO IMPRESS UPON GON FAILURE TO ABIDE BY VIENNA CON-
VENTION, INCLUDING FAILURE TO PROVIDE RECIPROCAL TREATMENT
BASED UPON U.S.G. PRACTICE, AND DANGER OF USG IMPOSING
PARALLEL RESTRICTIVE MEASURES ON THIS END, DEPARTMENT WOULD
PROPOSE DELAY FURTHER INSTRUCTIONS UNTIL SUCH TIME AS
DEPARTMENT COMMITTEE ON TAX AND CUSTOMS LIABILITIES HAS
AGREED ON COURSE TO TAKE IN DEALING WITH SAME PROBLEM ON

REGIONAL AND/OR GLOBAL BASIS. PRELIMINARY ASSESSMENT IS THAT DEPARTMENT WILL ADOPT POLICY OF IMPOSING RESTRICTIVE TAX EXEMPTION BENEFITS FOR REPRESENTATIVES OF THOSE COUNTRIES WHICH WITHHOLD REQUIRED TAX EXEMPTIONS FOR USG PERSONNEL. SPECIFICS OF SUCH AN APPROACH, WHICH WILL INVOLVE A SIGNIFICANT CHANGE IN US PRACTICE, HAVE YET TO BE WORKED OUT, BUT SHOULD BE FORMULATED WITHIN THE FORESEEABLE FUTURE. (NEXT MEETING OF DEPARTMENT COMMITTEE WILL BE JANUARY 17.)

3. UNTIL FINAL DEPARTMENT POLICY ADOPTED, EMBASSY AUTHORIZED TO CONTINUE PROTEST BASED UPON PREVIOUS GUIDANCE, BUT ENCOURAGED TO DELAY ADDITIONAL NEW APPROACHES UNTIL DEPARTMENT IN A POSITION TO MOUNT MORE COORDINATED ATTACK.

4. REFERENCE GON RESPONSE (REF. B) ON EXEMPTION FROM PAYMENT OF CUSTOMS TAXES ON RESALE OF AUTOMOBILES BY ADMIN. AND TECHNICAL STAFF, DEPARTMENT CAN NOT PROVIDE ANY STRONGER LEGAL ARGUMENT FOR INSISTING UPON PARITY AS BETWEEN DIPLOMATS AND ADMIN./TECH. STAFF. WHILE DEPARTMENT STRONGLY DISAGREES WITH GON'S INTERPRETATION OF ARTICLE 47, AS FAR AS RECIPROCITY BETWEEN THE SENDING AND RECEIVING STATES IS CONCERNED, DEPARTMENT CANNOT DISPUTE GON STATEMENT THAT VIENNA CONVENTION DOES NOT REQUIRE LIMITED OFFICIAL USE

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RECEIVING STATE TO GRANT TO EITHER DIPLOMATS OR STAFF CUSTOMS TAX EXEMPTION FOR DUTY-FREE POV'S SUBSEQUENTLY RESOLD IN THE RECEIVING STATE. THE BEST DEPARTMENT CAN OFFER AT THE MOMENT IS A POTENTIAL THREAT TO CUT BACK ON FISCAL EXEMPTIONS NOW PROVIDED ADMIN AND TECH STAFF OF NORWAY HERE, ALTHOUGH IN VIEW OF THE EASE OF PURCHASING AN AUTO IN THE U.S., SUCH ACTION MAY NOT BE TERRIBLY EFFECTIVE.

5. DEPARTMENT WILL KEEP POST ADVISED ON REGULAR BASIS OF PROGRESS BEING MADE BY COMMITTEE IN DEALING WITH PROBLEMS HAVING EFFECT ON THE POST AND ITS PERSONNEL. CHRISTOPHER

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Decaption Note:
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Disposition Approved on Date:
Disposition Case Number: n/a
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Disposition Date: 20 Mar 2014
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Disposition History: n/a
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ISecure: 1
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